

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MEDPOINTE HEALTHCARE INC.,

Plaintiff,

vs.

Civil Action No. 06-164-SLR

APOTEX INC. and APOTEX CORP.,

Defendants.

## STIPULATION AND ORDER

IT IS HEREBY STIPULATED by the parties hereto, subject to the approval of the Court, that the time by which Plaintiff MedPointe Healthcare Inc. ("MedPointe") has to file a reply in connection with Plaintiffs' Motion To Strike Apotex's Jury Demand, Strike Apotex's Affirmative Defense Of Unenforceability, Dismiss Apotex's Counterclaim Of Unenforceability, And Strike Apotex's Affirmative Defense Of Misuse (D.I. 16) is extended by one week, through and including June 1, 2006 (from May 25, 2006).

RICHARDS, LAYTON & FINGER P.A.

/s/ Frederick L. Cottrell, III (#2555)

Frederick L. Cottrell, III (#2555)

One Rodney Square

P.O. Box 551

Wilmington, Delaware 19899

(302) 651-7700

cottrell@rlf.com

*Attorneys For Plaintiff*

POTTER ANDERSON &amp; CORROON LLP

/s/ Richard L. Horwitz (#2246)

Richard L. Horwitz (#2246)

Hercules Plaza 6<sup>th</sup> Floor

1313 N. Market Street, P.O. Box 951

Wilmington, DE 19899

(302) 984-6000

rhorwitz@potteranderson.com

*Attorneys For Defendants*

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

United States District Judge

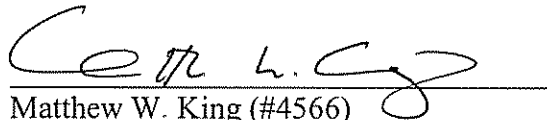
**CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 2006, I electronically filed the foregoing with the Clerk of Court using CM/ECF, which will send notification of such filing, and hand delivered to the following:

Richard L. Horwitz  
Potter Anderson & Corroon LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, DE 19801

I hereby certify that on May 23, 2006, I sent the foregoing document by Federal Express, next business day delivery, to the following non-registered participant:

Robert B. Breisblatt  
Welsh & Katz, Ltd.  
120 South Riverside Plaza, 22<sup>nd</sup> Floor  
Chicago, IL 60606

  
Matthew W. King (#4566)  
king@rlf.com